

Kaplan, J.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

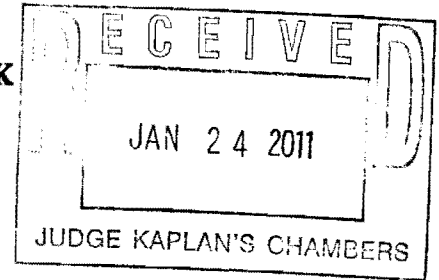
MEDICIS PHARMACEUTICAL
CORPORATION,

Plaintiff,

v.

NYCOMED US INC. and NYCOMED
GMBH


Defendants.

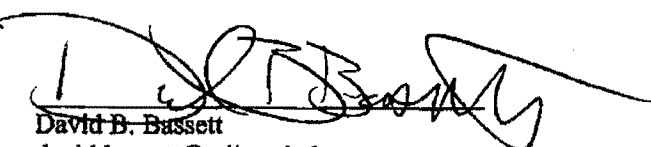


Civil. Action No. 10-CV-4140-LAK

**STIPULATION AND [PROPOSED] ORDER WITHDRAWING NYCOMED US INC.'S
MOTION TO DISMISS PURSUANT TO RULES 12(B)(1) AND 12(B)(6) [DI 6]**

IT IS HEREBY STIPULATED by the parties, subject to approval by the Court, that
Defendant Nycomed US Inc. ("Nycomed") hereby withdraws without prejudice its Motion to
Dismiss Pursuant to Rules 12(b)(1) and 12(b)(6) [DI 6]. Each party shall bear its own costs and
fees incurred in connection with the Motion.


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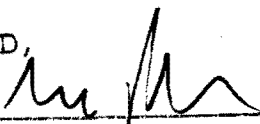
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SO ORDERED,


LEWIS A. KAPLAN, U.S.D.J.